

EXHIBIT 5

BONY Unlawful Detainer Complaint

SUM-130

**SUMMONS
(CITACION JUDICIAL)**

UNLAWFUL DETAINER—EVICTION

(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

Leonid Ovsovich and Does 1-50, Inclusive

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

The Bank of New York Mellon Trust Company, National Association fka The Bank of

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

DUPLICATE
ORIGINAL FILED
LOS ANGELES SUPERIOR COURT

FEB 15 2013

LOS ANGELES
SUPERIOR COURT

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and pay the filing fee. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):

Superior Court of CA County of Los Angeles
Van Nuys Courthouse East 6230 Sylmar Ave. Van Nuys

CASE NUMBER:
(Número del caso):

13B00936
91401

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Routh Crabtree Olsen, PS/1241 E. Dyer Road, Suite 250, Santa Ana, CA 92705 / Shahed Shahandeh, Esq. / Rosemary Nguyen, Esq.

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Date:
(Fecha)

Clerk, by
(Secretario)

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

FEB 15 2013 JOHN A. CLARKE

4. NOTICE TO THE PERSON SERVED: You are served

- a. ☒ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☐ on behalf of (specify):

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ CCP 415.46 (occupant) ☐ other (specify):

☐ by personal delivery on (date):

Form Adopted for Mandatory Use
Judicial Council of California
SUM-130 [Rev. July 1, 2009]

SUMMONS—UNLAWFUL DETAINER—EVICTION

Page 1 of 2
Code of Civil Procedure, §§ 412.20, 415.458, 1167
www.courtinfo.ca.gov

American LegalNet, Inc.
www.FormsWorkflow.com

BY FAX

SUM-130

**SUMMONS
(CITACION JUDICIAL)**

UNLAWFUL DETAINER—EVICTION

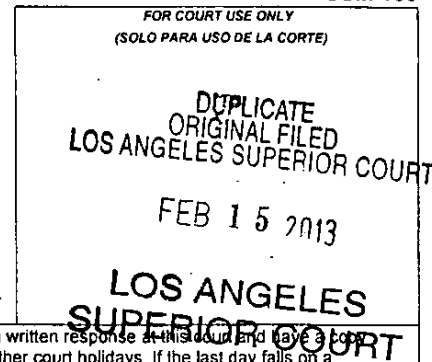
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13B00936
91401

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(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Routh Crabtree Olsen, PS/1241 E. Dyer Road, Suite 250, Santa Ana, CA 92705 / Shahed Shahandeh, Esq. / Rosemary Nguyen, Esq.

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Date:
(Fecha)

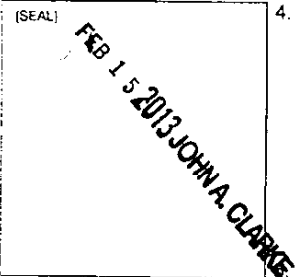
Clerk, by
(Secretario)

Deputy
(Adjunto)

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(SEAL)



4. NOTICE TO THE PERSON SERVED: You are served

- a. ☐ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☒ on behalf of (specify): all unnamed occupants

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☒ CCP 415.46 (occupant) ☐ other (specify):

☐ by personal delivery on (date):

BY FAX

SUM-130

PLAINTIFF (Name): The Bank of New York Mellon	CASE NUMBER:
DEFENDANT (Name): Leonid Ovsovich	

6. **Unlawful detainer assistant** (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):
- a. Assistant's name:
 - b. Telephone no.:
 - c. Street address, city, and zip:
 - d. County of registration:
 - e. Registration no.:
 - f. Registration expires on (date):

SUM-200(A)

SHORT TITLE: The Bank of New York Mellon vs. Ovsovich	CASE NUMBER:
--	--------------

INSTRUCTIONS FOR USE

- ➔ This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- ➔ If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☒ Plaintiff ☐ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee for RAAC
2006SP3.

Page ____ of ____

Page 1 of 1

1 **ROUTH CRABTREE OLSEN, P.S.**
2 Edward T. Weber, Esq., SBN 194963
3 Shahed Shahandeh, Esq., SBN 249668
4 Rosemary Nguyen, Esq., SBN 265322
5 1241 E. Dyer Road, Suite 250
6 Santa Ana, California 92705
7 Telephone (714) 277-4888
8 Facsimile (714) 277-4899

9 File No.: 61556
10 Attorneys for Plaintiff

DUPLICATE
ORIGINAL FILED
LOS ANGELES SUPERIOR COURT

FEB 15 2013

LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - VAN NUYS COURTHOUSE EAST

11 THE BANK OF NEW YORK MELLON TRUST) Case No.
12 COMPANY, NATIONAL ASSOCIATION FKA)
13 THE BANK OF NEW YORK TRUST)
14 COMPANY, N.A. AS SUCCESSOR TO)
15 JPMORGAN CHASE BANK N.A. AS)
16 TRUSTEE FOR RAAC 2006SP3..)

13800936

**VERIFIED COMPLAINT FOR
UNLAWFUL DETAINER**

Action based on Code of Civil Procedure
Section 1161a

Limited Civil [Does Not Exceed \$10,000]

15 PLAINTIFF,

16 vs.

17 LEONID OVSOVICH and Does 1-50, inclusive,

18 DEFENDANTS.
19

This case is assigned for all purposes,
including trial, to Judge Richard Walmark
presiding in Department NW-E

BY FAX

20 Plaintiff alleges as follows:

21 1. Plaintiff, THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL
22 ASSOCIATION FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS
23 SUCCESSOR TO JPMORGAN CHASE BANK N.A. AS TRUSTEE FOR RAAC 2006SP3., is
24 a national association qualified to do business in California and is the owner of the real property
25 commonly described as 14713 VALLEYHEART DRIVE, SHERMAN OAKS, CA 91403.
26 (hereinafter "Property") and is entitled to immediate possession. A copy of the legal description is
27
28

1 attached hereto as **Exhibit "A"** and incorporated herein by reference.

2 2. This is the proper forum for trial of the within action, in that the Property sued upon herein
3 is located in the City of SHERMAN OAKS, County of LOS ANGELES, California.

4 3. Defendants, LEONID OVSOVICH and all other occupants are, on information and belief,
5 individuals residing in the Property without permission or consent of Plaintiff.

6 4. The true names and capacities, whether individual, corporate, associate or otherwise, of
7 Defendants sued herein as Does 1-50, inclusive, are unknown to Plaintiff at this time. Plaintiff is
8 informed and believes and thereon alleges, that each Defendant sued herein by a fictitious name is
9 in possession of the Property, and/or is in some manner responsible for the acts or omissions herein
10 alleged. Plaintiff will ask leave of this Court to amend this Complaint to insert the true names and
11 capacities of said Defendants when ascertained.
12

13 5. On December 11, 2012, Plaintiff acquired the Property at a duly conducted foreclosure sale
14 and obtained a Trustee's Deed Upon Sale in accordance with California Civil Code §2924 *et. seq.*
15 and pursuant to the power of sale under the Deed of Trust executed and delivered by borrower,
16 LEONID OVSOVICH, or his predecessors. The title of the Property pursuant to the foreclosure
17 sale has been duly perfected in Plaintiff's name. A true and correct copy of the recorded Trustee's
18 Deed Upon Sale is attached hereto as **Exhibit "B"** and is incorporated herein by reference.
19

20 6. On February 6, 2013, Plaintiff caused to be served upon Defendant, and each of them,
21 written notice requiring them to quit and deliver up possession of the Property pursuant to
22 California Code of Civil Procedure §1161a. A true and correct copy of the Notice to Vacate along
23 with copies of the Proof of Service are attached hereto as **Exhibit "C"** and is incorporated herein
24 by reference.
25

26 7. More than three (3) days have elapsed since the service of said notice, but Defendants have
27
28

1 failed and refused to deliver up possession of the Property as required by said notice and
2 Defendants continue in possession without permission or consent of Plaintiff.


3 8. Plaintiff is informed and believes and thereupon alleges that the reasonable rental value of
4 the Property is \$222.13 per day from the expiration of the Notice to Vacate and will continue to
5 accrue at said rate so long as Defendants continue to remain in possession of the Property.

6 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 7
- 8 1. Restitution and immediate possession of the Property;
 - 9 2. An order restoring the Property to Plaintiff;
 - 10 3. For damages in the amount of \$222.13 per day, from the expiration of the
11 Notice to Vacate on February 11, 2013, for each day Defendants continue in
12 possession of the Property;
 - 13 4. For costs of suit herein; and
 - 14 5. For such other and further relief as the court deems just and equitable.
- 15

16 DATED this 14th day of February, 2013 at Santa Ana, California.

17
18 Respectfully submitted,
19 **ROUTH CRABTREE OLSEN, P.S.**
Attorneys for Plaintiff

20
21 By: 
22 EDWARD T. WEBER, ESQ.
23 SHAHED SHAHANDEH, ESQ.
24 ROSEMARY NGUYEN, ESQ.

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am an attorney at law admitted to practice before all courts of the State of California and am an associate at the law firm of Routh, Crabtree, Olsen, P.S., attorneys for THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION FKA THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK N.A. AS TRUSTEE FOR RAAC 2006SP3., a party to this action. Such party is unable to make the verification because they are absent from the county aforesaid where such attorneys have their office and for that reason I make this verification for and on behalf of that party. I have read the foregoing document and know its contents. I am informed and believe and on that ground allege that matters stated herein are true.

Executed on February 14, 2013 at Santa Ana, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

By: 

EDWARD T. WEBER, ESQ.
SHAHED SHAHANDEH, ESQ.
ROSEMARY NGUYEN, ESQ.

EXHIBIT A

LOT 15, BLOCK 27 OF TRACT NO. 7307, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 85 PAGES 1 THROUGH 5 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT B

Branch :F71.User :TZ12

Comment:

Station Id :QMED

This page is part of your document - DO NOT DISCARD



20121939897



Pages:
0003

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

12/14/12 AT 08:00AM

FEES:	18.00
TAXES:	0.00
OTHER:	0.00
PAID:	18.00



LEADSHEET



201212141000003

00006931927



004503958

SEQ:
22

DAR - Title Company (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

T35

Branch :F71,User :TZ12

Comment:

Station Id :QMED

RECORDING REQUESTED BY:
Executive Trustee Services, LLC dba ETS Services, LLC

AND WHEN RECORDED MAIL TO:
GMAC MORTGAGE, LLC
FKA GMAC MORTGAGE CORPORATION
1100 VIRGINIA DRIVE
FORT WASHINGTON, PA 19034

Forward Tax Statements to
the address given above



TS # CA1100041146
LOAN # 0270002411 INVESTOR #:
TITLE ORDER # 110364923-CA-MSI

SPACE ABOVE LINE FOR RECORDER'S USE

TRUSTEE'S DEED UPON SALE

APN 2263-021-013 TRANSFER TAX: \$00.00

"THIS TRANSACTION IS EXEMPT FROM THE REQUIREMENTS OF THE REVENUE AND TAXATION CODE, SECTION 480.3"

The Grantee Herein Was The Foreclosing Beneficiary.

The Amount Of The Unpaid Debt was \$1,319,642.75

The Amount Paid By The Grantee was \$826,320.00

Said Property Is In The City Of LOS ANGELES (SHERMAN OAKS AREA), County of Los Angeles

Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, (whereas so designated in the Deed of Trust hereunder more particularly described or as duly appointed Trustee) does hereby GRANT and CONVEY to

The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee for RAAC 2006SP3.

(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of Los Angeles, State of California, described as follows:

LOT 15, BLOCK 27 OF TRACT NO. 7307, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 86 PAGES 1 THROUGH 6 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by LEONID OVSOVICH, AN UNMARRIED MAN as Trustor, dated 04/06/2006 of the Official Records in the office of the Recorder of Los Angeles, California under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed Trustee, default having occurred under the Deed of Trust pursuant to the Notice of Default and Election to Sell under the Deed of Trust recorded on 04/18/2006, instrument number 06 0841080 (or Book XX, Page XX) of Official records. Trustee having complied with all applicable statutory requirements of the State of California and performed all duties required by the Deed of Trust including sending a Notice of Default and Election to Sell within ten days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

[Page 1 of 2]

Branch : F71, User : TZ12

Comment:

Station Id : QMED

3
TRUSTEE'S DEED UPON SALE

Trustee's Deed
T.S.# CA1100041148
Loan # 0270002411
Title Order # 110364823-CA-MSI

All requirements per California Statutes regarding the mailing, personal delivery and publication of copies of Notice of Default and Election to Sell under Deed of Trust and Notice of Trustee's Sale, and the posting of copies of Notice of Trustee's Sale have been complied with. Trustee, in compliance with said Notice of Trustee's sale and in exercise of its powers under said Deed of Trust sold said real property at public auction on 12/11/2012. Grantee, being the highest bidder at said sale became the purchaser of said property for the amount bid, being \$826,320.00, in lawful money of the United States, in pro per, receipt there of is hereby acknowledged in full/partial satisfaction of the debt secured by said Deed of Trust.

In witness thereof, Executive Trustee Services, LLC dba ETS Services, LLC, as Trustee, has this day, caused its name to be hereunto affixed by its officer thereunto duly authorized by its corporation by-laws

Date: 12-12-12

Executive Trustee Services, LLC dba ETS Services, LLC

"This instrument is being recorded as an
ACCOMMODATION ONLY, with no
Representation as to its effect upon title"

By: [Signature]
Mayte Iglesias-Meza, Authorized Officer

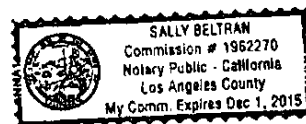
State of California } S.S.
County of Los Angeles }

On 12-12-12 before me, Sally Beltran Notary Public, personally appeared Mayte Iglesias-Meza who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)
Sally Beltran



[Page 2 of 2]

EXHIBIT C

NOTICE TO VACATE PREMISES

TO: LEONID OVSOVICH AND ALL UNNAMED OCCUPANTS

Of premises located at:

14713 Valleyheart Drive, Sherman Oaks, CA 91403

YOU ARE HEREBY NOTIFIED that your right to occupy the real property at the above address has been terminated as the result of a foreclosure sale which took place on **December 11, 2012** in compliance with Section 2924 of the California Civil Code. The title under the sale has been duly perfected and the new owner is now entitled to possession.

YOU ARE REQUIRED TO QUIT AND DELIVER UP POSSESSION of the above real property to the new owner, **The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee for RAAC 2006SP3**, and/or its agent(s), within the notice period specified below. In the event you fail to do so you will be deemed to be unlawfully detaining the premises, which will result in the commencement of court proceedings against you by the owner to recover possession of the premises, together with court costs and the reasonable rental value of the property for each day of your continued occupancy thereof. In some instances, the court may award attorney's fees.

NOTICE

To avoid a lawsuit and the associated expense, it is necessary for you to vacate the above property within **THREE (3) DAYS** after service upon you of this Notice, unless (a) you obtained possession of the premises as a tenant or subtenants under a lease or rental agreement with the former owner; or (b) you obtained possession of the property as a "bona fide tenant" under a "bona fide lease" as those terms are used in the Protecting Tenants at Foreclosure Act of 2009, in which event it will be necessary for you to vacate the premises within **NINETY (90) DAYS** after service upon you of this Notice.

Please contact the undersigned by telephone within **72 HOURS** at (714) 277-4888 in the event you occupy the property as a tenant or subtenant and provide written proof of tenancy or subtenancy. Si usted no habla ingles, por favor llame a (714) 277-4888. Unless written proof of tenancy is provided, it is assumed that the former owner occupies the property.

IMPORTANT NOTICE TO SERVICEMEMBERS AND THEIR DEPENDENTS: PROTECTIONS UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

If you are a servicemember on "active duty" or "active service," or a dependent of such a servicemember, you may be entitled to certain legal rights and protections, including protection from eviction, pursuant to the Servicemembers Civil Relief Act (50 USC App.

RCO # 61556

§§ 501-596), as amended, (the "SCRA") and, possibly, certain related state statutes.
Eligible service can include:

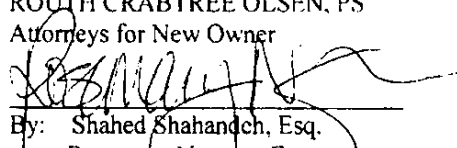
1. active duty (as defined in section 101(d)(1) of title 10, United States Code) with the Army, Navy, Air Force, Marine Corps, or Coast Guard;
2. active service with the National Guard;
3. active service as a commissioned officer of the National Oceanic and Atmospheric Administration;
4. active service as a commissioned officer of the Public Health Service; or
5. service with the forces of a nation with which the United States is allied in the prosecution of a war or military action.

Eligible service also includes any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause. If you are such a servicemember, or a dependent of such a servicemember, you should contact Routh Crabtree Olsen, PS at (714) 277-4888 to discuss your status under the SCRA.

This Notice is authorized pursuant to the provisions of Section §§ 1161a, 1161b and 1162 of the California Code of Civil Procedure.

Dated: February 5, 2013

ROUTH CRABTREE OLSEN, PS
Attorneys for New Owner


By: Shahed Shahandeh, Esq.
Rosemary Nguyen, Esq.
1241 E. Dyer Road, Suite 250
Santa Ana, CA. 92705



1241 E. Dyer Road, Suite 250
Santa Ana, CA 92705

phone - 714.277.4888
fax - 714.277.4899
www.rcolegal.com

NOTICE TO ANY RENTERS LIVING AT:

14713 Valleyheart Drive, Sherman Oaks, CA 91403

The attached notice means that your home was recently sold in foreclosure and the new owner plans to evict you. You should talk to a lawyer NOW to see what your rights are. You may receive court papers in a few days. If your name is on the papers it may hurt your credit if you do not respond and simply move out.

Also, if you do not respond within five days of receiving the papers, even if you are not named in the papers, you will likely lose any rights you may have. In some cases, you can respond without hurting your credit. You should ask a lawyer about it.

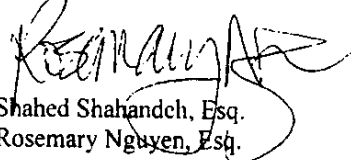
You may have the right to stay in your home for 90 days or longer, regardless of any deadlines stated on any attached papers. In some cases and in some cities with a "just cause for eviction law," you may not have to move at all. But you must take the proper legal steps in order to protect your rights.

How to Get Legal Help

If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Internet Web site (www.lawhelpca.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Sincerely,

ROUTH CRABTREE OLSEN, P.S.


Shahed Shahandeh, Esq.
Rosemary Nguyen, Esq.

RCO # 61556

PROOF OF SERVICE

I, the undersigned, declare that I served the Notice(s) below indicated:

Notice to Vacate Premises; Notice to Any Renters

The above described Notice(s) were served on the following named parties in the manner set forth below:

NAME: **LEONID OVSOVICH**

ADDRESS: **14713 VALLEYHEART DRIVE, SHERMAN OAKS, CA 91403**

☐ 1. PERSONAL SERVICE

By delivering a copy of the Notice(s) to each of the above personally:

(1) on:

(2) at:

☒ 2. CONSTRUCTIVE SERVICE

After attempting to personally serve said Notice(s) on each of the above named parties on **2/6/2013 at 2:15 PM**, and having been unable, by service as authorized by C.C.P. Section 1162 (a)(2,3) in the manner set forth below:

☒ By posting a copy for each of the above named parties on **2/6/2013 at 2:15 PM** in a conspicuous place on the property;

☒ and thereafter mailing a copy to each said party by depositing said copies in the United States mail on (date): **February 6th, 2013**, from (city): **SHERMAN OAKS, CA**, in a sealed envelope with postage fully prepaid, addressed to each said party at their place where the property is situated or,

☐ a declaration of mailing is attached.

At the time of service, I was at least 18 years of age. I declare under penalty of perjury that the foregoing is true and correct.

Person who served papers

a. Name: **Jeffrey Mayer**
b. Address: **201 South Figueroa Street, Suite 100, Los Angeles, CA 90012**
c. Telephone number: **213-621-9999**
d. The fee for service was: **\$109.00**

e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☐ employee ☒ independent contractor

(ii) ☒ Registration No.: **7004**

(iii) ☒ County: **Los Angeles**

For: **ABC Legal Services, Inc.**

Registration #: **6779**

County: **Los Angeles**

BY FAX

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

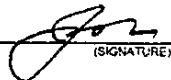
or

☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **2/7/2013**

Jeffrey Mayer

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

PROOF OF SERVICE

Page 1 of 1

Order No. 9835122 SEA FIL



PROOF OF SERVICE

I, the undersigned, declare that I served the Notice(s) below indicated:

Notice to Vacate Premises; Notice to Any Renters

The above described Notice(s) were served on the following named parties in the manner set forth below:

NAME: **ALL UNNAMED OCCUPANTS, C/O LEONID OVSOVICH**

ADDRESS: **14713 VALLEYHEART DRIVE, SHERMAN OAKS, CA 91403**

☐ 1. PERSONAL SERVICE

By delivering a copy of the Notice(s) to each of the above personally:

(1) on:

(2) at:

☒ 2. CONSTRUCTIVE SERVICE

After attempting to personally serve said Notice(s) on each of the above named parties on 2/6/2013 at 2:15 PM, and having been unable, by service as authorized by C.C.P. Section 1162 (a) (2,3) in the manner set forth below:

☒ By posting a copy for each of the above named parties on 2/6/2013 at 2:15 PM in a conspicuous place on the property;

☒ and thereafter mailing a copy to each said party by depositing said copies in the United States mail on (date): **February 6th, 2013**, from (city): **SHERMAN OAKS, CA**, in a sealed envelope with postage fully prepaid, addressed to each said party at their place where the property is situated or,

☐ a declaration of mailing is attached.

At the time of service, I was at least 18 years of age. I declare under penalty of perjury that the foregoing is true and correct.

Person who served papers

a. Name: **Jeffrey Mayer**
b. Address: **201 South Figueroa Street, Suite 100, Los Angeles, CA 90012**
c. Telephone number: **213-621-9999**
d. The fee for service was: **\$**
e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☐ employee ☒ independent contractor

(ii) ☒ Registration No.: **7004**

(iii) ☒ County: **Los Angeles**

For: **ABC Legal Services, Inc.**

Registration #: **6779**

County: **Los Angeles**

BY FAX

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
or

☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **2/7/2013**

Jeffrey Mayer

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

PROOF OF SERVICE

Page 1 of 1

Order No. 9835122 SEA FIL



CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Routh Crabtree Olsen, P.S. Edward Weber, SBN 194963; Shahed Shahandeh, SBN 249668; Rosemary Nguyen, SBN 265322 1241 E. Dyer Road, Suite 250 Santa Ana, CA 92705 TELEPHONE NO.: 714-277-4888 FAX NO.: 714-277-4899 ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY DUPLICATE ORIGINAL FILED LOS ANGELES SUPERIOR COURT FEB 15 2013 LOS ANGELES SUPERIOR COURT CASE NUMBER: 13800936 JUDGE: DEPT:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 6230 Sylmar Ave. MAILING ADDRESS: CITY AND ZIP CODE: Van Nuys 91401 BRANCH NAME: Van Nuys Courthouse East			
CASE NAME: <u>The Bank of New York Mellon vs. Ovsovich</u>			
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:		
Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input checked="" type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 1 Unlawful Detainer
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: February 14, 2013
Rosemary Nguyen, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

BY FAX

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE: The Bank of New York Mellon vs. Ovsovich	CASE NUMBER: 13800936
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**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☐ YES CLASS ACTION? ☐ YES LIMITED CASE? ☒ YES TIME ESTIMATED FOR TRIAL 5 ☒ HOURS/ ☐ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress		1., 3.	
<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death		1., 4.	

BY FAX

SHORT TITLE: The Bank of New York Mellon vs. Ovsovich	CASE NUMBER:
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.	
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.	
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.	
	Fraud (18)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.	
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.	
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.	
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.	
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.	
Contract	Breach of Contract/ Warranty (not insurance) (06)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.	
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.	
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.	
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.	
		Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
		Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.	
		<input type="checkbox"/> A6032 Quiet Title	2., 6.	
		<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.	
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.	
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.	
	Unlawful Detainer- Post-Foreclosure (34)	<input checked="" type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6.	
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.	

SHORT TITLE: The Bank of New York Mellon vs. Ovsovich	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.
	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

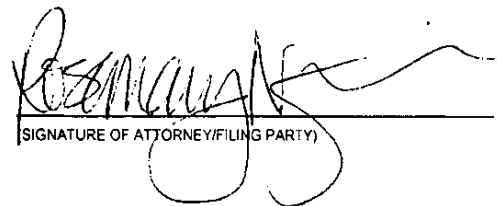
SHORT TITLE: The Bank of New York Mellon vs. Ovsovich	CASE NUMBER
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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input checked="" type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		ADDRESS: 14713 Valleyheart Drive
CITY: Sherman Oaks	STATE: CA	ZIP CODE: 91403

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Van Nuys courthouse in the Northwest District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: February 14, 2013


(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form within 10 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address)		TELEPHONE NO.:	FOR COURT USE ONLY 3B00936
ATTORNEY FOR (Name):			
NAME OF COURT: Los Angeles STREET ADDRESS: 6230 Sylmar Ave. MAILING ADDRESS: CITY AND ZIP CODE: Van Nuys BRANCH NAME: Van Nuys Courthouse East			
PLAINTIFF: The Bank of New York Mellon			
DEFENDANT: Leonid Ovsovich			
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION			CASE NUMBER 13B00936
Complete this form only if ALL of these statements are true: 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the premises on or before the date the unlawful detainer (eviction) Complaint was filed. 3. You still occupy the premises.			(To be completed by the process server) DATE OF SERVICE: (Date that this form is served or delivered, and posted, and mailed by the officer or process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (specify):
2. I reside at (street address, unit No., city and ZIP code):
3. The address of "the premises" subject to this claim is (address):
14713 Valleyheart Drive
Sherman Oaks, CA 91403
4. On (insert date): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is the court filing date on the accompanying Summons and Complaint.
5. I occupied the premises on the date the complaint was filed (the date in item 4). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (the date in item 4).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in item 4).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (Filing fee) I understand that I must go to the court and pay a filing fee of \$ or file with the court the form "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file with the court the form for waiver of court fees within 10 days from the date of service on this form (excluding court holidays), I will not be entitled to make a claim of right to possession.

(Continued on reverse)

BY FAX

PLAINTIFF (Name): The Bank of New York Mellon	CASE NUMBER:
DEFENDANT (Name): Leonid Ovsovich	

NOTICE: If you fail to file this claim, you will be evicted without further hearing.

11. (Response required within five days after you file this form) I understand that I will have *five days* (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

12. **Rental agreement.** I have (check all that apply to you):

- a. ☐ an oral rental agreement with the landlord.
- b. ☐ a written rental agreement with the landlord.
- c. ☐ an oral rental agreement with a person other than the landlord.
- d. ☐ a written rental agreement with a person other than the landlord.
- e. ☐ other (explain):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

WARNING: Perjury is a felony punishable by imprisonment in the state prison.

Date:

.....
(TYPE OR PRINT NAME)

.....
(SIGNATURE OF CLAIMANT)

NOTICE: If you file this claim of right to possession, the unlawful detainer (eviction) action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.

— NOTICE TO OCCUPANTS —

YOU MUST ACT AT ONCE if all the following are true:

- 1. You are **NOT** named in the accompanying Summons and Complaint.
- 2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is the court filing date on the accompanying Summons and Complaint.)
- 3. You still occupy the premises.

(Where to file this form) You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the reverse of this form) at the court where the unlawful detainer (eviction) complaint was filed.

(What will happen if you do not file this form) If you do not complete and submit this form and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee), YOU WILL BE EVICTED.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. If you do not file this claim, you will be evicted without a hearing.